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Report of the Secretary-General on Somalia

I. Introduction

1. The present report is submitted pursuant to paragraph 29 of Security Council resolution 2010 (2011), in which the Council requested me to report on all aspects of the resolution every four months. The report provides an update on major developments that occurred in Somalia on the three major tracks of the United Nations approach — (a) political; (b) security; and (c) humanitarian, recovery and development, and human rights — in the period from the issuance of my report of 9 December 2011 (S/2011/759) to 15 April 2012. On some issues I provided an update to the Council in my report of 31 January 2012 (S/2012/74). The report also assesses the progress made in the implementation of the road map for ending the transition.

II. Political

2. There has been progress on the political and security fronts in Somalia in recent months. Transitional Federal Government and allied forces have established a presence in key strategic towns in southern and central Somalia. The Transitional Federal Government has begun outreach to newly recovered areas. Meanwhile, implementation of the road map of September 2011 on ending the transition has continued, with agreement among stakeholders on modalities for the formation of a Constituent Assembly, the new Federal Parliament, and elections.

3. As the end of the transition comes within sight, political stakes continue to rise. Tensions have emerged over the selection of representatives to the Constituent Assembly. After rejecting the road map and the Garoowe process, a group of parliamentarians threatened to conduct a parallel election for President on 30 April. Meanwhile, the suicide attack in the National Theatre on 4 April, allegedly targeting the Prime Minister, has further increased mistrust within the transitional federal institutions and among political actors in Mogadishu.

4. The reporting period also saw increased tensions between "Puntland", "Somaliland" and the Transitional Federal Government following the formation of the self-proclaimed "Khaatumo State" in the disputed Sool, Sanaag and Cayn regions in northern Somalia.

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A. Implementation of the road map

5. Mechanisms to expedite the delivery of priority tasks continue to function. The Office of the Prime Minister established an Implementation Support Unit on 10 January. The Technical Committee on the implementation of the road map met on 20 March in Mogadishu and the International Coordination and Monitoring Group on 30 March in Nairobi. The Group noted the efforts of Somali stakeholders and appealed for international support to the process of ending the transition on schedule.

6. Implementation of the road map is proceeding, and considerable tasks have been accomplished. Some have been delayed, however, owing mainly to the lack of resources and the continued crisis within the Transitional Federal Parliament. The following progress was made on the four priority tasks to end the transition by 20 August 2012:

Security

7. There was steady progress in the delivery of the security benchmark, including establishment of district security committees in Mogadishu and finalization of an action plan on preventing child recruitment. However, the National Security and Stabilization Plan is still pending adoption owing to the impasse in Parliament.

Constitution

8. The second Somali National Consultative Constitutional Conference, held in Garoowe, "Puntland", from 15 to 17 February 2012 (Garoowe II; see annex II), confirmed principles agreed at Garoowe I (see annex I), and reached consensus on modalities for the adoption of the Constitution and the formation of the new bicameral federal Parliament; the federal structure of Somalia, including the status of the capital city, Mogadishu; the structure of the federal executive; and elements of the design of an electoral system. It also agreed a minimum 30 per cent women's representation in Parliament and in other institutions set up to end the transition. Despite this progress, some crucial questions remain regarding the implementation of the agreed principles.

9. On 26 March, at a meeting in Gaalkacyo, the signatories of the road map agreed to reduce the total membership of the Constituent Assembly from the 1,000 delegates envisaged at Garoowe to 825, to facilitate use of the "4.5" formula for clan representation. Both the Constituent Assembly and the new Federal Parliament would be selected by 135 traditional leaders following consultations with religious leaders, intellectuals, youth, women, and business people. The signatories agreed on the creation of a technical selection committee, in place of the earlier envisaged Independent Interim Electoral Commission, to review nominated candidates and assist the traditional leaders. This is now being established. These amendments, however, raised concerns including among the civil society organizations that met in Entebbe, Uganda, from 23 to 26 March, to discuss their role in designating members of the new institutions.

10. Meanwhile, the draft Constitution itself remained under discussion, and has yet to be released for public consultation. While the new Constitution will remain interim pending the conduct of a public referendum, it is notable that some key contentious issues remain unresolved, such as the role of sharia. Some actors have

sought to restrict language on fundamental rights and freedoms in the draft Constitution. Technical assistance continues to be provided to the drafters.

11. Throughout the reporting period, the Transitional Federal Parliament remained at an impasse. The group of parliamentarians who declared the Speaker, Sharif Hassan Sheikh Adan, deposed in December continued to reject the Garoowe process and insisted on having the road map brought before Parliament. The group decided on 4 April to establish an electoral committee and voted that elections for the position of President be brought forward from August to 30 April. The President, the Council of Ministers and the National Security Committee declared the actions of those Members of Parliament illegal. My Special Representative and his international and regional partners are consulting Somali stakeholders on a solution. As the Transitional Federal Parliament has become dysfunctional, the other transitional institutions are working to overcome legal hurdles and proceed with the adoption of pending legislation.

Political outreach and reconciliation

12. In January, the Transitional Federal Government issued a national policy for reconciliation and stabilization in newly liberated areas of south-central Somalia. It also established a National Steering Committee to promote social reconciliation and restore law, order and justice in those areas. Meanwhile, two high-level delegations of Ministers and parliamentarians, led by the Prime Minister and the Speaker, respectively, visited the newly recovered towns of Beledweyne and Baidoa. On 21 March a mission organized jointly by the United Nations Political Office for Somalia (UNPOS), the African Union Mission in Somalia (AMISOM) and the United Nations Support Office for AMISOM travelled to Baidoa and met with its interim Governor, Abdifatah Mohamed Ibrahim Gesey.

13. On 29 March, my Special Representative met with representatives of the Intergovernmental Authority on Development (IGAD) and AMISOM to harmonize the approaches to reconciliation and reconstruction in newly recovered areas in support of the Transitional Federal Government policy on reconciliation and stabilization. He also met with the Transitional Federal Government in an effort to ensure that international support is coherent and coordinated, supporting consultations through a series of meetings with donors, United Nations agencies and non-governmental organizations. To this end, UNPOS, UNSOA and AMISOM are facilitating a mapping of stakeholders in south-central Somalia, to analyse the power dynamics in these areas, the political and security leadership present, their alignment and capacities. This will in turn facilitate the development of a revised political strategy, and aid the establishment of the appropriate security arrangements that consolidate the military gains in these areas.

Good governance

14. Although the Cabinet adopted the national budget in December 2011, approval by Parliament is pending because of the ongoing impasse. Meanwhile, a special legal provision allows government institutions to be funded for three months renewable, pending approval of the national budget. The Transitional Federal Government agreed to create an Anti-Corruption Commission by reviving the 1968 Anti-Corruption law and reinstituting the former Bureau of Investigation and Anti-Corruption.

15. At the request of the Transitional Federal Government, a technical workshop was convened on 15 and 16 February by the United Nations, the World Bank, the World Customs Organization and the International Maritime Organization to look at ways to improve Customs and revenue collection at Mogadishu port. The adoption of the World Customs Organization Columbus Programme was noted as a possible option.

16. The Transitional Federal Government adopted the Somali National Communications Act on 22 March. The Communications Act will create a National Communications Commission to regulate both telecommunications and broadcasting.

B. International support for the political process

17. Improved security in Mogadishu has allowed for more engagement with the Somali leadership. The relocation of UNPOS, and visits to Mogadishu by several senior foreign dignitaries, helped to reaffirm international solidarity and engagement with the Government and the people of Somalia. Following his relocation from Nairobi to Mogadishu on 24 January, my Special Representative for Somalia regularly consulted the President, the Prime Minister and other stakeholders on the constitution-making process, the policy for newly recovered areas and the parliamentary dispute. He also enhanced cooperation with AMISOM. My Special Representative has communicated regularly with the Somali leadership and engaged locally with the media to improve dissemination of information.

18. A number of high-level meetings during the reporting period highlighted commitment to ending the transition in August, as well as the need to engage in recovered areas, and to take collective action against spoilers. For example, on 27 January, a summit of Heads of State of the Intergovernmental Authority on Development (IGAD) endorsed the grand stabilization strategy for south and central Somalia presented by the IGAD Facilitator for Somalia Peace and National Reconciliation.

19. On 5 and 6 February in Djibouti, the International Contact Group on Somalia reiterated its commitment to peace and stability in the country, and reaffirmed that the transition must end on 20 August 2012. Participants expressed serious concern about the parliamentary stalemate. The Group discussed various options to reform its working methods. On 23 February, the London Conference on Somalia brought together over 50 countries and organizations in support of the peace process. Both the International Contact Group on Somalia and the London Conference highlighted the need for action against spoilers of the peace process. The conclusions of the London Conference were welcomed by the Security Council in its presidential statement of 5 March 2012 (S/PRST/2012/4).

C. Targeted sanctions

20. On 3 February, the Coordinator of the Monitoring Group on Somalia and Eritrea provided the midterm briefing to the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea. He pointed out that, in line with paragraph 2 of resolution 2002 (2011), the Group had identified cases where the activities of prominent political and commercial leaders

significantly undermined the ability of the transitional federal institutions to effectively carry out core State functions and prevented them from completing transitional tasks.

21. On 17 February, further to a decision of the Committee, Ali Ahmed Nur Jim'ale was added to the list of individuals and entities subject to the travel ban, assets freeze and targeted arms embargo imposed by paragraphs 1, 3 and 7 of resolution 1844 (2008). (Mr. Jim'ale was de-listed on the same date by the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011), concerning Al-Qaida and associated individuals and entities.)

D. Other political developments

22. Relations between "Somaliland" and "Puntland" remained strained. On 19 January, Dhulbahante clan leaders and politicians from Sool, Sanaag and Cayn announced the formation of a new administration, called "Khaatumo State". Sool and Sanaag regions are claimed by both "Puntland" and "Somaliland", whose forces continued to clash over the control of towns and villages. This resulted in displacement and intensified clan wars over grazing, water and other natural resources. Demonstrations were held in support of the new administration, demanding the withdrawal of "Somaliland" troops from Laascaanood.

23. "Somaliland" adopted a law on 5 February to overturn a constitutional ban on participating in international conferences on Somalia. The timing paved the way for "Somaliland's" participation at the London Conference on Somalia on 23 February.

24. On 18 April, the Constitutional Convention of "Puntland" approved the Transitional Constitution of "Puntland" by a large majority. The Constitution allows extension of the currently serving administration for one year while providing for future multi-party elections. The President of "Puntland", Abdirahman Farole, called on other regions of Somalia to follow "Puntland's" example and form State administrations under a federal Somalia.

25. In February, the Transitional Federal Government filed an application to join the East African Community.

III. Security

26. The security situation remained volatile as military operations continued on the outskirts of Mogadishu and parts of south-central Somalia. Gains against the insurgency continued, although the period also saw an increasing number of non-conventional attacks by Al-Shabaab. Implementation of resolution 2036 (2012) commenced swiftly and support to the Somali security sector has made progress.

A. Security situation

27. In the Mogadishu area, Al-Shabaab terrorist attacks remained constant, though many were prevented or failed as pressure mounted from reinforced Government and AMISOM forces. The threat of Al-Shabaab terrorism was heightened by a public statement against UNPOS on 25 January and, more significantly, the

announcement on 9 February of a strengthened alliance with Al-Qaida. Some elements of Al-Shabaab reportedly do not embrace the alliance. The United Nations was directly targeted in three hand grenade attacks against its sites in January, without casualties. Attacks on Villa Somalia, the presidential compound, were carried out on 14 March by an Al-Shabaab suicide bomber and on 19, 20 and 26 March with the firing of mortar rounds, claiming several lives. On 4 April, another Al-Shabaab suicide bomber set off an explosion at the National Theatre of Mogadishu, killing 10 people, including several officials of the Transitional Federal Government.

28. In central Somalia, Ethiopian troops concentrated heavy combat elements around the border towns of Luuq and Dolo in January, and launched an offensive into Bay Region on 18 February, forcing Al-Shabaab out of key strongholds, including the town of Baidoa. Ethiopian troops led the capture of Beledweyne, Xuddur and Ceel Buur. In southern Somalia, despite numerous air strikes in Juba Dhexe and Juba Hoose, military advances were hindered by continuing insurgent hit-and-run attacks.

29. The dispute between "Somaliland" and the newly proclaimed "Khaatumo State", in addition to clan-related violence, resulted in fatal clashes in Buuhoodle and Sool. While Al-Shabaab continued to lose ground in south-central Somalia, there were reports of it strengthening its alliance with militias in the Galgala mountain area in "Puntland". Insurgents reportedly aligned with Al-Shabaab clashed with local authorities. "Puntland's" security situation was also characterized by renewed hostility against foreign involvement in the exploitation of natural resources.

B. Progress towards the full deployment and strengthening of the African Union Mission in Somalia

30. Following the adoption of Security Council resolution 2036 (2012), the United Nations held consultations with the African Union and AMISOM to discuss the implementation of the resolution and the revised concept of operations, including the delivery of the expanded United Nations logistical support package for AMISOM. The United Nations Office to the African Union, with the United Nations Support Office for AMISOM (UNSOA), supported the African Union Commission's development of AMISOM operational benchmarks to monitor the implementation of resolution 2036 (2012).

31. The African Union report of 20 March (see S/2012/176), pursuant to paragraph 21 of resolution 2036 (2012), details the current AMISOM strength and future deployment plans, and the progress made in implementing the resolution. A key benchmark was met with the establishment of the Military Operations Coordination Committee, which held its first two meetings on 9 and 30 March, with the support of the United Nations Office to the African Union. In addition, a combined meeting of the Military Operations Coordination Committee and the Joint Coordination Mechanism, a strategic consultative body consisting of Ministers of Defence, was held in Addis Ababa on 12 April. The meetings operationalized the strategic coordination mechanism of the AMISOM strategic concept and reviewed the structure of the enhanced force headquarters to conduct expanded and multi-sector AMISOM operations.

32. The joint African Union-United Nations planning team continued to develop the remaining key operational documents, including through visits to Mogadishu and Baidoa and predeployment visits to troop- and police-contributing countries. Memorandums of understanding and letters of assist are being finalized to ensure support to AMISOM troops in Sectors 2, 3 and 4 through Kenya and Ethiopia.

33. In Mogadishu (Sector 1), UNSOA focused its efforts on establishing a permanent camp in the north-east of the city. Fuel, water and ration distribution points are in place to reduce the logistic resupply time to the forward troops. Phase 1 of the infrastructure for AMISOM headquarters is almost complete, and other facilities are due for completion by August 2012. Medical clinic infrastructure is complete with equipment installed. UNSOA conducted 23 medical evacuation, transfer and repatriation flights from Mogadishu for a total of 62 AMISOM personnel from 1 December 2011 to 15 April 2012.

34. Planning for support in other sectors is ongoing, and designs for logistic hubs have been finalized. Additional equipment and vehicles are being requisitioned to ensure support to AMISOM troops and their deployment outside Mogadishu. Reconnaissance of potential transportation routes and airfields to support Sectors 2 and 3 was completed. Planning for deployment to Sector 3 is complete. As the first deployment of AMISOM outside Mogadishu, an advance party of 100 Burundian and Ugandan troops arrived in Baidoa on 5 April 2012. Planning for the deployment of Djiboutian troops to Beledweyne in Sector 4 is at an advanced stage. On 7 April, UNSOA shipped contingent-owned equipment and basic life support items from Mogadishu to Djibouti for prepositioning.

35. AMISOM troops continued to improve freedom of movement in Mogadishu through the disposal of landmines, explosive remnants of war and improvised explosive devices. From 9 December 2011 to 31 March, 1,098 items of unexploded ordnance and 48 improvised explosive devices were destroyed. As AMISOM troops rotated into the city, training in explosive ordnance disposal was provided by the United Nations for about 100 Burundian and Ugandan troops. The Mine Action Service of the Department of Peacekeeping Operations supported the deployment of the force in the new sectors, which requires explosive ordnance disposal capacities to mitigate explosive threats and meet mobility requirements.

36. Capacity-building remains a priority for UNSOA, particularly in the context of expanded operations. Predeployment training, including on human rights, conduct and discipline, as well as gender awareness and sexual exploitation, was conducted for the third time in Bujumbura on 19 and 20 January for 25 incoming Burundian officers. Initiated in November 2011, the joint UNPOS-UNSOA training package has been provided to 101 Burundian and Ugandan officers.

37. UNSOA communication activities continued to positively affect the profile of AMISOM and contributed to marginalizing Al-Shabaab. Recent public opinion polling in Mogadishu demonstrates an increasingly favourable trend in public perception and approval of AMISOM, the transitional federal institutions and the international community. The African Union-United Nations Information Support Team was reinforced to ensure support across the sectors. Work continued on the expansion of the Radio Bar-Kulan transmission network, and on the establishment of a Somali public service radio broadcaster.

C. Strengthening of the Somali security institutions

38. Somali forces will figure prominently in the expanded AMISOM operations, but they still suffer from limited supply and logistic capabilities. On 30 March, following the meeting of the Military Operations Coordination Committee, the African Union Commission convened a consultative meeting on Somalia security sector empowerment in Addis Ababa, with the aim of facilitating resource mobilization for the Somali security forces. Subsequently, the African Union Commission established a working group, which held its first meeting in Addis Ababa on 11 April, to ensure appropriate follow-up to the meeting of 30 March in coordination with the United Nations.

Planning and strategic guidance

39. Four Somali diaspora security and defence policy experts hired by the International Organization for Migration (IOM) began work to support a functional national security and stabilization plan secretariat, working alongside the secretariat of the Joint Security Committee. UNPOS deployed a consultant to Mogadishu on 9 March to support the development and establishment of regional and district security committees. Three Somali policy advisers recruited by UNPOS joined the Ministry of the Interior and National Security to support the Somali police force in crime reduction, planning and rehabilitation, as well as the establishment of the committees in recovered areas in Mogadishu, to ensure the participation of local communities in violence- and crime-mitigating measures.

40. To improve transparency in stipend payments to the police and military, the United Nations and concerned Member States continued to support the Government in registering personnel through a biometrical system. At the end of the reporting period, the database contained 7,658 military and police personnel.

Military

41. Early in March, the Chief of Defence Forces formed a Coordination Committee to manage the implementation of national security force activities delivered as part of the road map and the National Security and Stabilization Plan.

42. Under the Joint Security Committee, the United Nations established a Military Training Committee to prioritize, plan and coordinate training of the national security forces. The Committee requested the United States and the European Union Training Mission to train 600 troops from Somalia's regions at a forthcoming course in Uganda in June 2012. The newly refurbished Jazeera Training Camp in Mogadishu has been operational since January, and over 700 troops are currently undergoing training.

43. Military capacity-building remains constrained by limited ability to pay and equip operational troops, as well as by the existence of many non-operational troops on the payroll. Donor-funded stipends for the military are required on an increasing and sustainable basis, while donor funding is also required for a veterans and/or civil service pension scheme to address the needs of the wounded and aged.

Police

44. Police stipends are six months in arrears. With support from Japan, the United Nations and AMISOM completed payment for 1,314 Somali police officers who took a refresher course early in 2011 at the Mogadishu Police Academy. The United Nations is working to secure funds to cover the arrears from October 2011 to date. UNPOS, the United Nations Development Programme (UNDP) and AMISOM already initiated payments for the period from March to September 2011 for 5,370 eligible Somali police officers. With funding from the Government of Japan, procurement is being finalized for 19 vehicles, including personnel carriers, ambulances and pick-up trucks, for the Somali police force. Sixty senior Somali police force personnel, including 17 women, underwent training in December 2011 in Mogadishu to strengthen managerial skills and competencies.

Mine action

45. Three police explosive ordnance disposal teams responded to 116 call-outs, identifying and securing 600 explosive items and preventing death or injury to civilians and police officers. The teams were trained in the dissemination of explosive threat awareness messages and conducted outreach for the first time, providing life-saving information for 1,400 street cleaners, many of whom come in contact with explosive devices in their work. A team deployed to Baidoa during the third week of March and is assisting with preliminary survey and clearance of explosive items.

Justice and corrections

46. The Justice and Corrections Technical Working Group of the Joint Security Committee held its inaugural meeting on 23 February and adopted the draft national justice and corrections plan. In March, the Transitional Federal Government appointed the first woman judge to the Judicial Services Council. The United Nations Office on Drugs and Crime, UNPOS and UNICEF conducted an assessment of the Government's correction system, and UNPOS conducted two monitoring visits to Mogadishu Central Prison. Rehabilitation of the Benadir court compound in Mogadishu was completed. UNPOS supported Somali law professors in developing a curriculum for judicial training across the country.

47. On 1 March, the High Judicial Council of "Somaliland" appointed 10 new Deputy Attorneys General. For the first time, five appointees were women. New courts, including the Regional and District Courts of Hargeysa, in "Somaliland", constructed with United Nations support, were handed over to the authorities on 10 December. The final phase of a substantial rebuilding of Boosaaso prison is under way, as is construction of a prison academy, prison service headquarters and the new Ministry of Justice in Garoowe. By early 2012, 30 per cent of all "Puntland" judges had undergone the United Nations-sponsored legal and human rights training.

Disarmament, demobilization and reintegration

48. While the prerequisites for a comprehensive disarmament, demobilization and reintegration programme are still lacking in Somalia, the number of fighters who defected from the Somali insurgent groups has decreased and is currently slightly over 500. The National Security Agency established a "profiling" mechanism to

manage disengaged Al-Shabaab combatants. An inter-agency workshop on 17 and 18 March in Mogadishu helped to clarify roles and responsibilities in support of disengaging fighters. This support and planning for a future programme are part of the cooperation agreement between UNPOS and IOM signed on 1 February 2012. Meanwhile UNDP launched six-month skills training programmes for 1,390 youths at risk of violence in Burao, Gaalkacyo and Boosaaso.

D. Piracy

49. Since my last regular report, the number of hostages and ships held has remained almost steady: currently 291 hostages from 16 ships are held, according to the International Maritime Organization. Although successful attacks declined from 55 in 2010 to 33 in 2011, attempted attacks in the high-risk area increased from 174 in 2010 to 287 in 2011. Piracy off the coast of Somalia remains an entrenched criminal enterprise with a growing geographical area of operations, larger-scale attacks, increased levels of violence and higher ransoms. With a view to increasing the rate of prosecution for these illegal activities, my two most recent reports (S/2011/360 and S/2012/50) explored the modalities for the establishment of specialized anti-piracy courts in the region.

50. In February, "Somaliland" adopted legislation recognizing piracy as a crime and allowing for pirates convicted abroad to be transferred to its prisons. "Somaliland" agreed to receive 19 Somali pirates convicted by the Seychelles.

51. On 29 March, the Contact Group on Piracy off the Coast of Somalia held its eleventh meeting in New York under the chairmanship of the United Arab Emirates. It noted that piracy can be eliminated only by combining counter-piracy activities with wider efforts at stabilizing Somalia, promoting good governance and rule of law, strengthening the institutions of the Transitional Federal Government and fostering socio-economic development. The previous day, the Board of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia approved two new projects worth US$ 1.37 million. The projects will support piracy trials in Kenya, Mauritius, Seychelles and the United Republic of Tanzania, and will provide further assistance for the Piracy Prisoner Transfer Programme.

IV. Humanitarian, recovery and development, and human rights situations

52. Although the massive scaling-up in humanitarian assistance combined with a good harvest lifted Somalia out of famine in January 2012, malnutrition and mortality rates remain exceptionally high. Hundreds of internally displaced persons spontaneously returned from Mogadishu to their places of origin. By the end of March, the 2012 Consolidated Appeal Process was only 21 per cent funded. The United Nations continued to implement the Somali assistance strategy and reported progress in social services, poverty reduction and livelihoods and good governance. In Mogadishu, a lack of funding prevented the adoption of a strategic and prioritized approach to stabilization activities. The number of reports of sexual violence increased.

A. Humanitarian situation

53. On 3 February, the Food Security and Nutrition Analysis Unit and the Famine Early Warning Systems Network announced that the combination of the massive increase in humanitarian assistance and an exceptional harvest in December and January had lifted Somalia out of famine. Nonetheless, an estimated 2.51 million Somalis, over one third of the population, still need life-saving assistance. Malnutrition rates in the country are among the highest in the world: one in five children in the south of the country are malnourished. Mortality rates remain above emergency thresholds.

54. Access to the southern regions, home to nearly 72 per cent of the people in crisis, remains a key challenge. The ban imposed by Al-Shabaab on 6 United Nations agencies and 10 non-governmental organizations in areas under its control in November 2011 continues. Since the end of January, two more humanitarian organizations have been banned by Al-Shabaab from operating in areas under its control.

55. Displacement rates remained high: 140,000 displacements were reported in the first quarter of the year. Tens of thousands of people fled internally displaced person settlements in the Afgooye Corridor as fighting erupted in the outskirts of Mogadishu in mid-February. Afgooye has the highest concentration of internally displaced persons in the world, with 410,000 Somalis living along a 16-km stretch of road. The total number of internally displaced persons in Somalia is 1.4 million.

56. Humanitarian actors in Somalia have appealed for US$ 1.5 billion for 2012. At the end of March, the appeal was only 21 per cent funded. It may be challenging for the humanitarian community to raise these funds and deliver on commitments given the continuing restrictions on humanitarian access in the south. The humanitarian country team is reviewing the Somalia appeal to ensure that the changing situation on the ground is accurately reflected.

Humanitarian activities

57. The scaling-up in humanitarian response that started in the third quarter of 2011 continued. In January and February 2012, the World Food Programme provided over 20,000 tons of food to almost 1.5 million beneficiaries.

58. The Office of the United Nations High Commissioner for Refugees worked with partners to contribute to the creation of conducive conditions for the spontaneous returns of internally displaced persons to south-central Somalia. It also provided return packages and agricultural inputs, together with the Food and Agriculture Organization of the United Nations (FAO), to increase the resilience of returnees.

59. UNICEF helped almost 520,000 people to gain access to safe water systems. In addition, 86,000 malnourished children were assisted across Somalia, 13,000 households, including 20,000 children under age 5, received three hot meals daily and 15,000 families received monthly food rations.

60. As a response to the high number of diseases with outbreak potential, several preventive emergency vaccination campaigns were completed, in the accessible regions of southern and central Somalia.

B. Economic, recovery and development activities

61. Improved security in Somalia has led to increased economic activities. Turkish Airlines commenced twice-weekly flights to Mogadishu from Istanbul on 6 March and the Somali National Theatre reopened on 19 March. The United Nations access to parts of south-central Somalia increased and initial missions were fielded to re-establish offices and relocate national and international staff to regions of south-central Somalia.

62. The exchange rate of the Somali shilling fluctuated extensively alongside reports of the introduction of new bank notes in March. The Transitional Federal Government continued to advocate with international partners for implementation of the charcoal export ban authorized in Security Council resolution 2036 (2012), which is expected to further weaken the Al-Shabaab insurgency.

63. After many years of inactivity, in January 2012 "Puntland" launched the exploration of two oil wells in a joint venture with private companies in the "Dharoor" block in Bari Region. The estimated prospective reserves from the area were reported to exceed 300 million barrels of oil.

64. The United Nations country team continued to implement the Somali assistance strategy. Under the social services outcome of the strategy, the World Health Organization initiated field hospitals in Dollow and Dhoobley. Under the poverty reduction and livelihoods outcome, in south-central Somalia, FAO distributed 1,600 tons of maize seed, 900 tons of sorghum seed and 120 tons of sesame seed among 95,000 households. In a welcome development, "Puntland's" Cabinet and Parliament adopted a fisheries regulation and policy, opening the way to further development of the fisheries sector.

C. Stabilization and recovery efforts in Mogadishu

65. More than 10 United Nations entities are working on stabilization projects throughout Mogadishu, but work is hampered by lack of funds. Approximately $3 million were allocated to stabilization efforts in Mogadishu in 2011, compared to the $15 million required for phase 1 of the Mogadishu recovery and stabilization strategy. In the reporting period, the United Nations continued to focus on security improvements in Mogadishu, working with the Somali police force to expand the presence of the force to priority locations, including the Badbado Camp for displaced persons. The United Nations also deployed a police liaison officer as focal point for humanitarian agencies, who is dealing with incident reporting, including gender-based violence, and facilitating investigations and arrests.

66. Early in 2012, a joint United Nations initiative on "youth at risk" rolled out a female community policing initiative in five districts of Mogadishu. Five hundred women are now serving as voluntary community patrol officers. In addition, the United Nations provided literacy and numeracy training to 484 "youth at risk" in Mogadishu, and 350 others received vocational training. The United Nations also delivered conflict management, gender in local governance and local leadership training to 480 local leaders, district authority staff and civil society representatives.

67. IOM completed a waste management project that provided three months of employment to 800 vulnerable persons, 85 per cent of them women. In March, in

collaboration with the Benadir regional administration, IOM launched a short-term cash-for-work project for 500 youths.

D. Human rights and protection of civilians

68. In Mogadishu, the number of weapon-related injuries remained high: more than 1,200 casualties were treated between December 2011 and February 2012, many due to Al-Shabaab's use of improvised explosive devices. Civilian casualties, as well as displacement, were reported in the context of Kenyan and Ethiopian supported security operations. Reports were received of targeted killings by Al-Shabaab of persons associated with the Transitional Federal Government in the newly recovered areas.

69. In Mogadishu, evictions by the Transitional Federal Government from public buildings resulted in homelessness. Guidelines on evictions were made available to the Government and efforts are under way to develop a strategy to address issues of internally displaced persons.

70. Rape and sexual violence against internally displaced women and girls continues to be reported. Survivors identified perpetrators as Transitional Federal Government soldiers and armed groups. Under the auspices of the Prime Minister, a Task Force on Gender-based Violence was established in December 2011, to which the United Nations has been invited. The Special Rapporteur of the Human Rights Council on violence against women conducted her first visit to Somalia in December 2011. She stressed the urgent need for educational and legal measures to prevent and punish violence against women.

71. My Special Representative called for a full and independent investigation into the assassination of three journalists in Mogadishu and a fourth in "Puntland". Separately, he expressed concern at undue restrictions, such as the arrest and detention of 21 journalists in "Somaliland", and called on the Somali authorities to respect freedom of opinion and expression in the political process.

72. In "Puntland", legislation established the Office of the Human Rights Defender, but the position remains unfilled. Arrest and detention of youths from southern Somalia suspected of links with Al-Shabaab continued. New legislation legalizing forms of female genital mutilation represented a regression in the protection of women's rights. It is expected that the final draft Constitution will prohibit the practice of female genital mutilation, as the current Somali-language draft outlaws only pharaonic circumcision.

73. On 23 March, the Human Rights Council adopted a resolution encouraging the implementation of the memorandum of understanding between the Office of the United Nations High Commissioner for Human Rights and the Transitional Federal Government, and requested me to submit a report containing concrete proposals for a more integrated approach across the United Nations system to protect and promote human rights in Somalia.

E. Child protection

74. The United Nations continued to document cases of grave violations against children. Of particular concern is a pattern of children becoming victims of direct

attacks and cross-fire as a result of the intensified military activities against Al-Shabaab. The country task force made progress in following up on commitments made by the Transitional Federal Government during the visit of my Special Representative for Children and Armed Conflict in November 2011. The Government announced on 7 January the introduction of strict measures to prevent the recruitment and use of child soldiers. It emphasized its readiness to enter into dialogue for the preparation and implementation of time-bound action plans within the framework of Security Council resolutions 1539 (2004), 1612 (2005) and 1882 (2009). A workshop organized by the Transitional Federal Government and the United Nations on 6 and 7 March in Mogadishu developed a draft action plan on the release and reintegration of child soldiers from Government armed forces.

F. Women and peace and security

75. Work continued to ensure implementation of the Garoowe process commitment to ensure that at least 30 per cent of seats in the Constituent Assembly and the new Federal Parliament are earmarked for women. This was a key recommendation from the gender workshop held in early December 2011 with women from the Transitional Federal Government, Ahlu Sunnah Wal Jama'a, "Puntland" and "Galmudug". During consultations with my Special Representative on 12 March, a cross-section of influential women requested support in setting up a consultative body to ensure that the selection of women candidates would not be compromised.

76. Following efforts to have women engaged in all committees and consultative meetings, the revised structure of the Joint Security Committee adopted in January now includes the Ministry of Women and Family Affairs in its membership. On 18 January, the Office of the Prime Minster announced the appointment of four women to the Anti-Corruption Commission.

V. Coordination

A. United Nations presence and coordinated approach in Somalia

77. The initial deployment of UNPOS is now complete. As at 15 April, UNPOS had deployed 38 personnel inside Somalia, both national and international: 12 in Mogadishu, 12 in Hargeysa, and 14 in Garoowe. UNPOS staff in Mogadishu work and live in prefabricated containers and rely on UNSOA and Mine Action Service arrangements for full life support functions. Additional staff will deploy in the coming months, upon availability of additional office and living accommodation and logistics support, and depending on the security conditions.

78. The second progress report for the integrated strategic framework was completed for the period from September 2011 to January 2012. The report confirmed progress on the security sector objective, including providing support to district security committees and ensuring human rights training for Transitional Federal Government and AMISOM forces, as well as on the economic development and livelihoods objective. The Senior Policy Group met regularly to address issues related to the coherence of political, security and humanitarian aspects of the United Nations effort in Somalia.

79. On 24 January 2012, the agreement between the United Nations and the Transitional Federal Government of Somalia concerning the status of the United Nations Political Office for Somalia was signed in Mogadishu by my Special Representative and the Prime Minister. The status of mission agreement entered into force immediately upon signature, setting out the privileges, immunities and facilities, exemptions and rights accorded to UNPOS and its personnel to effectively fulfil its mandate in Somalia.

B. Cooperation among the Intergovernmental Authority on Development, the African Union and the United Nations

80. The United Nations continued to work closely with the African Union and IGAD in support of the Somalia peace process. In the reporting period, the focus was on ensuring coordination of the various strategies for stabilization of newly recovered areas beyond Mogadishu, through joint assessments and improved coordination. The methodology and assessment frameworks used ensured a coordinated analytical approach.

VI. Resource mobilization

81. A comprehensive mapping of the resource needs for the implementation of the road map, particularly concentrating on the constitutional and parliamentary processes, has been presented to donors in Nairobi. The total requirements are estimated at $17.5 million, of which there is a funding gap of $12 million. The coming months leading to the end of the transition period in August are the most critical. Dire funding gaps could jeopardize the limited by significant the limited but significant gains made thus far. Very urgent action is required by donors to ensure that timely and effective action can be taken.

82. The United Nations Trust Fund in Support of AMISOM received three "uncaveated" contributions since my last report: $4,374,799 from Denmark, $260,247 from Sweden and £16 million from the United Kingdom. The newly received funds will pay arrears in reimbursement of contingent-owned equipment and other support to AMISOM troops.

83. The uncommitted balance of the Trust Fund for Peacebuilding in Somalia stands at just $30,000 after extensive outlays to secure the Garoowe I and II meetings. The fund received €40,000 from Italy for the implementation of the road map and $171,000 from UNDP to support the Garoowe II conference.

84. The Trust Fund in Support of the Somali Security Institutions has an uncommitted balance of $382,000. Since my last report, the United Nations and the United Kingdom signed agreements for support amounting to £260,000 for the secretariat of the Joint Security Committee and £150,000 to commence funding the maritime security coordination office.

85. Since its inception, in January 2010, the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia has received about $12 million in contributions and has disbursed $10 million.

VII. Observations

86. Four months ahead of the deadline for the end of the transition, Somalia's progress towards peace faces considerable challenges. But there is a real opportunity, which must be seized, to move the country to a new phase in the political process. For that to happen, Somali leaders must unite in the commitment to ending the transition in August. They must agree to move forward together and to carefully listen to the views of the Somali people. Only in this way will they effectively address the challenges ahead and successfully end the transition.

87. Somalia's new interim Constitution will create a framework for all Somalis to take part in political life. Approval by the Constituent Assembly of the interim Constitution will be the beginning not the end, of a process. Some questions, around the nature of federalism and the role of sharia, are likely to need further discussion after the end of the transition and before a public referendum. However, the draft put to the Assembly must form a strong basis on which to move forward. It should reflect the wishes of the Somali people, expressed in consultations over the past months, as well as fundamental principles of human rights. I urge the Somali leadership in their review of the draft Constitution to represent faithfully the views of their constituencies, to share the draft with the public and to conduct vigorous civic education in the remaining period before it is submitted to the Constituent Assembly for provisional adoption.

88. The Constituent Assembly is a fundamental requirement of the road map. For the sake of Somalia's future, it is essential to get the Assembly's composition, structure and modus operandi right. Traditional leaders will play a central role in the selection of its members. It is crucial that Somali grass-roots communities and civil society organizations fully participate in this selection process, so as to make it as inclusive and transparent as possible. I strongly urge donors to help Somalis to raise the significant financial, logistical and security resources needed to establish and operationalize the Constituent Assembly immediately.

89. Creating the legal basis for the Constituent Assembly's work is equally important. In this regard, the political impasse in the Transitional Federal Parliament is a major impediment to moving the political process forward. Those Members of Parliament who delay or obstruct the political process should be put on notice that their actions will have consequences. While my Special Representative, together with senior representatives of the African Union and others, has spared no effort to resolve the dispute between the two sides, legislation and other tasks critical to the implementation of the road map remain blocked. The Security Council has appealed to the Somali leaders and parliamentarians to rise to the challenge, put the interest of the Somali nation above all else and resolve the impasse amicably. In the absence of such progress, the time has come to look at alternative ways of establishing a legal basis for ending the transition.

90. To address those who obstruct the political process, both within and outside the transitional federal institutions, strong measures must be implemented. These would be graduated measures, beginning with a warning, followed by naming and shaming and, if no progress is made, action by the Security Council. I encourage Member States and subregional organizations such as IGAD to examine the scope for punitive measures such as travel bans and the freezing of assets. Meanwhile, it should also be noted that there are some parliamentarians who have performed their

duties honourably and deserve a severance package that recognizes their service. I encourage Member States to consider such a package.

91. The extension of security across the country is critical to the success of the peace process. I am encouraged by the steady progress in the expansion of AMISOM authorized in resolution 2036 (2012) and commend AMISOM for deploying beyond Mogadishu for the first time since its establishment. The strong partnership between the United Nations and the African Union has been further consolidated in the implementation phase. I welcome the plans of the African Union and troop-contributing countries to complete the expanded deployment, including the development of operational benchmarks. The United Nations will support the African Union in achieving these benchmarks, including the rehatting of Kenyan forces in Sector 2 and the deployment in Sector 3.

92. I welcome the increased role of AMISOM in enhancing the effectiveness of the Somali forces, as well as the continuing contribution of the European Union Training Mission. I encourage Member States to support the force's immediate requirements and welcome the efforts of the African Union to identify practical requirements, in coordination with the United Nations, at the meeting on Somalia security sector empowerment on 30 March. At the same time, there is a need for a long-term approach to building sustainable and credible local security institutions. I urge Somali stakeholders to thoroughly consider what security architecture best fits the country's future system of governance. I welcome the recent progress of the Joint Security Committee in discussing critical questions such as the integration of Somalia's armed forces, the development of civilian police and justice systems, and the development of programmes for demobilized combatants. Further advances will be contingent upon additional resources.

93. While Somali forces and AMISOM continue to make territorial gains, asymmetric insurgent attacks pose a substantial threat. In this regard, I encourage Member States with the necessary capabilities to assist AMISOM and Somali forces to build their capacity to prevent asymmetric attacks and to improve civilian security. I welcome the recent moves of the African Union to establish the guard force mandated in resolution 2010 (2011), which is vital to support safe movement of international civilians in Mogadishu.

94. I remain deeply concerned about grave violations of international humanitarian and human rights law, especially against women and children. I urge all parties to ensure that the protection of civilians is integrated into all military operations. I am encouraged by the Transitional Federal Government's continued commitment to prevent the recruitment and use of children by its armed forces and request it to finalize the drafting of the action plan, and begin implementation, before the end of the transition.

95. The humanitarian situation in Somalia requires continued attention and support. Poor rainfall predictions underline that current progress is both fragile and reversible. I urge all actors to ensure unconditional access for humanitarian workers so that vulnerable people can be reached. I also encourage all donors to urgently support the Consolidated Appeal Process, currently only 21 per cent funded.

96. Stabilization of areas recently recovered from the insurgency requires an integrated national and international effort. It requires local administrations, supported by the majority of the local community, to provide security, basic social

services, and an environment conducive to private sector development. In this regard, I welcome the strategy adopted by the Transitional Federal Government. I urge international partners to ensure that their assistance is coordinated with the government's efforts and conforms to the Principles for international support to local areas of stability in Somalia agreed at the London Conference on 23 February. To this end, I welcome current efforts to strengthen coordination among AMISOM, IGAD and the United Nations.

97. The end of the transition should encourage the international community to invest seriously in the long-term recovery and development of Somalia. As a first step, I encourage donors to support the unfunded balance of the Mogadishu Stabilization and Recovery Plan. The forthcoming "Istanbul II" conference, to be hosted by the Government of Turkey on 31 May and 1 June, offers an important opportunity for Somali and international partners to develop joint approaches, to areas such as the rehabilitation of roads, energy and water supply, and building community resilience to humanitarian crises, that will visibly improve the standard of living of Somalis. This will also be an opportunity for the international community to look at priorities for support in the post-transition period, bearing in mind that Somalia will need significant support to develop and implement the interim Constitution, build governance institutions, empower regional administrations, strengthen the security sector and prepare for elections.

98. In the long run, Somalia is responsible for its own peace, stability, development and prosperity. As State authority is extended over a wider area, the Government must put in place regulatory frameworks that protect property rights and investments, and enable the growth of enterprise. I hope the Istanbul conference will provide a platform for developing initiatives in this regard with the support of the World Bank and other relevant international partners. Responsible fiscal and monetary policies will also be critical. I urge the Transitional Federal Government and the regional authorities to raise and manage their own revenues transparently in accordance with national legislation. Crucial monetary policy issues, such as issuing new notes, should be made public in the *Official Bulletin*.

99. I pay tribute to AMISOM, the Government forces and its allies, as well as the regional forces operating inside Somalia for the continuing sacrifice and commitment to bring peace and stability in the country. I also express my gratitude to my Special Representative for his commitment to advancing peace and national reconciliation in Somalia. I would also like to acknowledge the dedication of the men and women serving with the United Nations and its partner organizations, often under difficult conditions.

Annex I

Garoowe I Principles

Agreed at the Somali National Consultative Constitutional Conference held from 21 to 23 December 2011

1. The first national constitutional conference was held in Garowe from 21-23 December, 2011. The meeting was convened by the Transitional Federal Government (TFG) of Somalia and hosted by Puntland State Government of Somalia and facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia.

2. The meeting brought together the signatories of the Roadmap and members of Civil Society. Among the dignitaries present were H.E. Sheikh Sharif Sheikh Ahmed, President of the Transitional Federal Government (TFG), Honorable Sharif Hassan Sheikh Aden, Speaker of the Transitional Federal Parliament (TFP), H.E. Professor Abdiweli Mohamed Ali, Prime Minister of TFG, H.E Dr Abbdirahman Sheikh Mohamed Mohamud, the President of Puntland, H.E. Mohamed Ahmed Alin, President of Galmudug, Sheikh Mohamed Mohamoud Yusuf, Representative of Ahlu Sunna Wal Jama'a (ASWJ). The meeting was opened by the host, H.E Dr Abbdirahman Sheikh Mohamed Mohamud, the President of Puntland, who highlighted the need to end the transition by pointing to the urgency to implement the Roadmap.

3. The meeting identified two principal issues requiring consideration by the delegates in light of the current political climate and the necessity of timely implementation of the Roadmap:

- The structure, size, as well as the basis of representation and the selection criteria of the new federal parliament under the new federal constitution;

- Adoption of the new federal constitution by a constituent assembly, including, the mandate, size and the selection criteria of the members of the constituent assembly together with the selection of the new parliamentarians.

4. Whereas the Participants have considered the Transitional Federal Charter, the Djibouti Agreement, the Kampala Accord and the Roadmap; whereas the Signitories reaffirm the unity of the Somali people, the political independence and territorial integrity of the Somali nation, the following principles were agreed by the delegates and signatories of the Roadmap. These principles, henceforth to be referred to as ***The Garowe Principles***, shall guide and direct finalization of the draft constitution and the process of ending the transition.

The Garowe Principles on the Finalization and Adoption of the Constitution and the End of the Transition

1. **National Constituent Assembly**
   a. The Final Draft of the Somali Federal Constitution shall be completed no later than 20 April 2012.

b. A National Constituent Assembly shall provisionally adopt the Draft Federal Constitution as the Provisional Constitution of Somalia, subject to a Constitutional Implementation Review Process and National Referendum as circumstances permit.
c. The National Constituent Assembly shall be nominated by all Roadmap signatories and civil society based on the 4.5 formula.
d. The National Constituent Assembly shall consist of a Maximum of 1,000 Delegates of which 30% shall be women.
e. The Committee of Experts shall review the Constitution and ensure that the power relationships between the states and the federal government are enumerated and the new Somali Federal Constitution shall be harmonized with existing state constitutions.
f. The Committee of Experts shall hand over the final draft of the Somali Federal Constitution to the Independent Federal Constitution Commission no later than 5 May 2012.
g. The National Constituent Assembly shall convene and commence its proceedings no later than 15 May 2012.
h. The National Constituent Assembly shall adopt the Provisional Federal Constitution by way of a yes or no vote no later than May 22, 2012.
i. The National Constituent Assembly shall be dissolved on May 30, 2012.

2. Post-transition Parliamentary Structure

a. A bicameral federal legislature shall be established commencing on the 21st of August, 2012 and shall serve the first term of the parliament established in June 2012 under this agreement and the new Federal Constitution. The upper chamber of the bicameral legislature shall comprise of members of federal states and regional administrations.
b. The new Somali Federal Parliament shall comprise of 225 members of Parliament, with 20% women members.
c. The new federal parliament shall comprise of all communities, regions and existing states of the federal Somalia and shall reflect the diversity of Somali communities.
    i. Since the prevailing security situation will not permit direct elections, it is agreed that the lower house of the new federal parliament will be selected on the basis of the 4.5 formula of representation for this selection process only and shall prevail only for the term of parliament proposed under this agreement.
    ii. The 4.5 formula shall never become the basis for power sharing in any future political dispensation after the above mentioned term concludes.
    iii. The new Federal Constitution shall not include any provisions using the 4.5 formula and shall not be amended to abrogate this stipulation in any manner.
    iv. The new federal parliament that comes into being in June 2012 shall not amend or enact any law or implement any

policy that takes into account or attempts to reinstate the 4.5 power sharing formula.

v. After the first term, the parliament will be elected through universal polling of one person one vote.

vi. In case the prevailing situation does not allow for universal polling, the parliament will be selected on the basis of constituencies.

d. The term of the new federal parliament under the new federal constitution shall be four years. The mandate of the new parliament and the new government shall include the preparation of the country for a referendum and general elections, starting with municipal, local elections and culminating in a general national election.

e. Members of the new federal parliament will be nominated by recognized traditional elders assisted by qualified civil society members none of whom shall not have any political aspirations.

i. An 15-member Independent Interim Electoral Commission consisting of representatives from Somali stakeholders shall evaluate and approve all nominees.

ii. Where there are existing State administrations, the state administrations will nominate their delegates and submit the list to Independent Interim Electoral Commission.

f. The new Somali Federal Parliament shall be sworn-in on 15 June 2012.

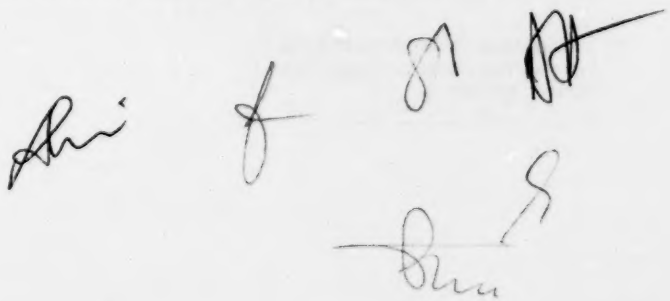
g. Elections for the Parliament Speaker and his or her Deputies shall take place on 20 July 2012, to be followed elections for the President on 20 August 2012.

Whereas, the Signatories respect the independence of the Parliament as the legislative body.

Whereas, the Parliament in turn is urged to respect the Kampala Accord, and should not take any action that violates the Kampala Accord.

Further, the Signatories request the International Community to take action against any elements that bring forth frivolous and capricious motions against the President, Prime Minister, Speaker and the two Deputy Speakers designed to derail the implementation of the Roadmap.

The Signatories announce that the next Constitutional Consultative Conference will be held in Garowe in the third week of January 2012 and will focus on the finalization and adoption of federalism.



Signatories:

1. Transitional Federal Government
   President of the Transitional Federal Government
   Hon. Sheikh Sharif Sheikh Ahmed
   _____ 24-12-2011

2. Transitional Federal Parliament
   Speaker of the Transitional Federal Parliament
   Hon. Sharif Hassan Sheikh Aden
   _____

3. Transitional Federal Government
   Prime Minister of the Transitional Federal Government
   Hon. Dr. Abdiweli Mohamed Ali
   _____ 24-12-2011

4. Puntland
   President of Puntland
   Dr. Abdirahman Sheikh Mohamed Mohamud
   _____ 24-12-2011

5. Galmudug
   President of Galmudug
   Mohamed Ahmed Aalim
   _____ 24-12-2011

6. Ahlu-Sunna Wal Jamaaca
   Representative of Ahlu Sunna Wal Jamaaca
   Sheikh Mohamed Mohamud Yusuf
   _____ 24/12/2011

7. Deputy Special Representative of the
   Secretary General of the UN for Somalia
   Christian Manahl
   _____ 24/12/2011

Annex II

Garoowe II Principles

Agreed at the Somali National Consultative Constitutional Conference held from 15 to 17 February 2012

1. The second national constitutional conference was held in Garowe from 15 – 17 February, 2012. The meeting was convened by the Transitional Federal Government (TFG) of Somalia and hosted by Puntland State Government of Somalia and facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia.

2. The meeting brought together the signatories of the Roadmap and members of Civil Society. Among the dignitaries present were (H.E. Sheikh Sharif Sheikh Ahmed, President of the Transitional Federal Government (TFG),) Honorable Sharif Hassan Sheikh Aden, Speaker of the Transitional Federal Parliament (TFP), H.E. Professor Abdiweli Mohamed Ali, Prime Minister of TFG, H.E Dr Abbdirahman Sheikh Mohamed Mohamud, the President of Puntland, H.E. Mohamed Ahmed Alin, President of Galmudug, Khalif Abdulkadir Moallin Noor, Representative of Ahlu Sunna Wal Jama'a (ASWJ). The meeting was opened by Hon Sharif Hassan, the speaker of the parliament who underscored the need to agree several principle cornerstones on the completion of the constitutional process.

3. At the conclusion of Garowe I, the Signatories announced that the next Constitutional Consultative Conference would be held in Garowe in early 2012 and would focus on the finalization and adoption of federalism. Because time is of the essence, it was agreed that three critical issues required consideration by the delegates to ensure the completion of the constitution making process and ending the transition on time, by August 20, 2012, as follows:

1. Federalism: The nature of federal structure the country would adopt, including the status of the capital city, Mogadishu;
2. System of Government and Electoral System Design: Consensus on the structure of the federal executive depending on whether the choice of system of government is parliamentary, presidential or hybrid; consensus on the related elements of electoral system design;
3. Operationalizing Garowe 1 Principles related to the constitutional adoption process by the National Constituent Assembly (NCA), including the selection process of the members of the NCA and the new federal parliament and the design of the Upper House of Parliament representing the administrative regions.

4. The participants began the conference in a plenary session where they were addressed by the stakeholder principals; Ambassadors from IGAD & AU; Minister of Endowment & Religious Affairs from Djibouti & the UN SRSG for Somalia. Following this, the participants divided themselves into 3 groups to discuss the following topics: (1) Federalism; (2) System of Government & Electoral System; and (3) Operationalizing the Garowe 1 Principles. Each

group was co-chaired by a member of the Committee of Experts & a member of the IFCC supported by members of the Joint Constitution Unit. Ground rules were established, that Garowe 1 Principles were not to be reopened and setting forth a process in the event consensus could not be reached within the time allotted. It was agreed that unresolved issues would be escalated to the principals and that their decision would be respected by all. The conference was concluded via a plenary session celebrating achievements made, and closing with a signing ceremony.

4. Whereas the Participants have considered the Transitional Federal Charter, the Djibouti Agreement, the Kampala Accord, the Roadmap, Garowe Principles I and reviewed the Consultative Draft Constitution;

5. Whereas the Signatories reaffirm the unity of the Somali people, the political independence and territorial integrity of the Somali nation, the following principles were agreed by the delegates and signatories of the Roadmap.

These principles, henceforth to be referred to as ***The Garowe II Principles***, shall guide and direct finalization of the draft constitution and the process of ending the transition including the development and enactment of the legal framework therein.

The Garowe II Principles on Federalism, System of Government and Ending of the Transition through Operationalizing Garowe I

1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes reference to a federal state and the Consultative Draft Constitution refers to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but do not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

a. We recognize the Puntland State is a founding federal state and was an existing state upon the adoption of the Transitional Federal Charter in 2004. We further recognize that Galmudug State as a state within the federation, and it shall, as soon as is practicable, fulfill all the requirements for becoming a full federal state as stipulated in the Transitional Federal Charter. The TFG and the International Community are called upon to extend all the necessary assistance to the Galmudug authorities in this regard.
b. The criteria for the formation of new states shall conform to the provisions stipulated in the Charter, which is based on two or more regions coming together.
c. All states are obliged to ensure equal political rights, access and opportunities for all Somalis, including political participation.
d. The creation of new states requires a sustainable regional reconciliation process. An independent commission shall assess a state's conduct of

such a process and the fulfillment of the above criteria. The new Somali Federal Parliament shall vote on ascension to statehood.

e. The federal fiscal system shall include financial transfers and assistance based on the principle of equalization and equity among states.

f. The federal structure shall respect states' rights in the assignment of competences and responsibilities to the states. The national competences shall include essential issues of national interest, notably, but not limited to, foreign affairs, national defense, national monetary policy, natural resources, wealth sharing, citizenship, and immigration.

Status of Mogadishu

g. Mogadishu is the capital city. Its status within the federal set-up shall be decided by the new parliament through the enactment of primary legislation

2. System of Government and Electoral System Design

The Working Group on Systems of Government and Electoral systems considered the issue of which system of government is best suited to Somalia – the Parliamentary or Presidential system – and rigorously deliberated the advantages and disadvantages of both systems.

a. Somalia shall adopt the Parliamentary system as it provides more accountability of the executive to parliament, and checks and balances to the abuse of power.

b. The primary task of the executive shall be vested within the Council of Ministers, led by the Prime Minister. The President shall be the Head of State and will stand for the Unity of the State.

c. The Constitution shall clearly set forth and enumerate the respective powers of the Head of State and the Head of Government.

d. Council of Ministers shall be drawn from within and outside parliament.

Electoral System Design

e. The electoral system for the Lower House shall be based on the principle of proportionality. The details of the electoral system shall be defined by legislation. The new federal parliament shall adopt such legislation by the end of the third month of its first sitting.

3. Operationalizing Garowe Principles

1. Interim Independent Electoral Commission (IIEC)

a. Mandate:

i. The IIEC shall verify nominees for the Constituent Assembly and Parliament against established objective criteria. It shall also engage in raising awareness of the processes for nominating and selecting candidates including ensuring full transparency through publication of names in media outlets and a public

notice and comment period. The IIEC shall not be responsible for selecting members to either body.

b. Membership:
   i. The IIEC shall consist of 15 voting members based on the 4.5 formula (see Garowe I)
   ii. The IIEC shall consist of at least 5 women members
   iii. The IIEC shall include the involvement of international actors as non-voting participants.
c. To ensure trust in the commission, IIEC members must be patriotic, honest, of good standing in Somali society, have no personal political ambitions or loyalties to other states. They must respect and uphold the rights of all Somalis and demonstrate tolerance towards all.
d. The eligibility criteria for IIEC membership shall be as follows:
   i. Somali citizenship
   ii. Aged between 21 and 70 years
   iii. No record of serious crime or crimes against humanity
   iv. Minimum secondary education
   v. Experience in elections or related fields
e. Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members based on applications submitted through a public process. The public shall be kept informed of the process through a concerted media campaign.

2. National Constituent Assembly (NCA)

a. Mandate:
   i. The NCA's rules of procedure shall regulate procedures to be followed in the event members cannot reach the required majority for adoption; the rules and procedures shall provide for a process to refer issues back to the drafters based on the vote of a qualified majority; the rules shall further set forth agreed deadlock breaking mechanisms to provide mediation support
b. Membership shall be based on the following:
   i. 1000 members based on the 4.5 formula;
   ii. At least 300 (30%) members shall be women;
   iii. The remaining 700 men and women shall be selected from [a cross section of society, including: youth/students, business people, the Diaspora, religious and traditional leaders, professionals, scholars and existing and emerging regional administrations.
c. Eligibility Criteria:
   i. The criteria noted above for IIEC membership shall apply to NCA nominees except for the following:
      1. Minimum age of 21
      2. No minimum level of education except literacy

3. Relevant experience

d. Selection Process for members of the NCA:
   i. Roadmap signatories assisted by traditional leaders and civil society shall nominate 1000 people based on the 4.5 formula and the criteria set out above;
   ii. Nominations shall be submitted to the IIEC to verify that each nominee meets the above criteria as well as the overall composition;
   iii. If a nominee or list is determined to not meet the criteria they shall be sent back to the Garowe 1 signatories, traditional leaders and civil society to nominate another person or list meeting the criteria to submit to the IIEC, maintaining the 4.5 formula;
   iv. To ensure that the minimum quota for women is implemented, women members shall be determined first;
   v. Nomination lists that do not result in at least 30% women in the NCA must be rejected;

3. The New Federal Parliament

a. Membership in the Lower House shall comprise 225 members
b. The Upper House shall be based on the new configurations of future federal states for a maximum of 54 members.
   i. The selection of the Upper House shall follow the same principles of transparency, inclusivity and representation as govern the selection of other constitutional bodies, with criteria to be elaborated in the new constitution and designed to embody national integration and cohesion, to serve as a "court of second opinion" and custodian of national cultural values and national ethos;
   ii. The Upper House shall come into effect no later than August 2012 as specified in the Garowe I Principles.
   iii. The new Constitution and its Implementation Schedules as well as general provisions clauses shall further govern the permanent make up of the Upper House, and shall set out criteria, size, allocation of seats and composition of the Upper House, as well as a mechanism and process for the formation of the sub-national units;
   iv. After the first term of the new Upper House of the new federal parliament, membership shall be based on the established sub-national units with equal representation.
c. To ensure trust in the federal parliament, members must be patriotic, honest, and of good standing in Somali society. They must respect and uphold the rights of all Somalis and demonstrate tolerance towards all.
d. Eligibility criteria for membership in the new federal parliament shall be:

i. Somali citizenship
ii. Aged between 25-75 years
iii. Minimum secondary school education
iv. No criminal record
v. Not declared mentally incompetent
vi. Respect Islamic values
vii. Relevant experience

e. Selection process of the new federal parliament
   i. Recognized traditional elders assisted by prominent civil society members shall nominate two people for every seat based on the criteria outlined above;
   ii. Nominations shall be sent to the IIEC to verify that they meet the eligibility criteria and overall composition requirements. If they do not, the names must be returned and a new candidate or candidates must be submitted;
   iii. The names of eligible candidates shall be sent back to the nominating entities to select the individuals who shall become representatives in the new federal parliament;
   iv. Women will make up at least 30% of the parliamentarians by way of a set aside along 4.5. Civil society and respected women members of the clans will nominate and select the women.

Whereas, the transition must end by August 20, 2012, and therefore no delay or obstruction will be accepted by the Somali people or the International Community. Spoilers will be identified and named, and appropriate joint action by Somali and international stakeholders will be taken against them. The process will proceed.

Whereas the Signatories recommend that a compensation package be provided to members of Parliament who do not become members of the next parliament.

Whereas, time is of the essence and therefore all relevant parties are hereby directed to immediately, in accordance with the Transitional Federal Charter, the Kampala Accord, the Roadmap, Garowe I, Garowe II and other governing instruments:

1. commence finalization of the draft constitution and complete the drafting by 20th of April 2012;
2. complete consultations and civic education on remaining critical issues in the Consultative Draft Constitution;
3. commence formation of the relevant bodies, especially the IIEC and NCA.

The Signatories announce that the next constitutional consultative conference will be held by the end of March 2012 in Mogadishu and will focus on fundamental rights and freedoms.

Signatories:

1. Transitional Federal Government
   President of the Transitional Federal Government
   H.E. Sheikh Sharif Sheikh Ahmed

2. Transitional Federal Parliament
   Speaker of the Transitional Federal Parliament
   Hon. Sharif Hassan Sheikh Aden

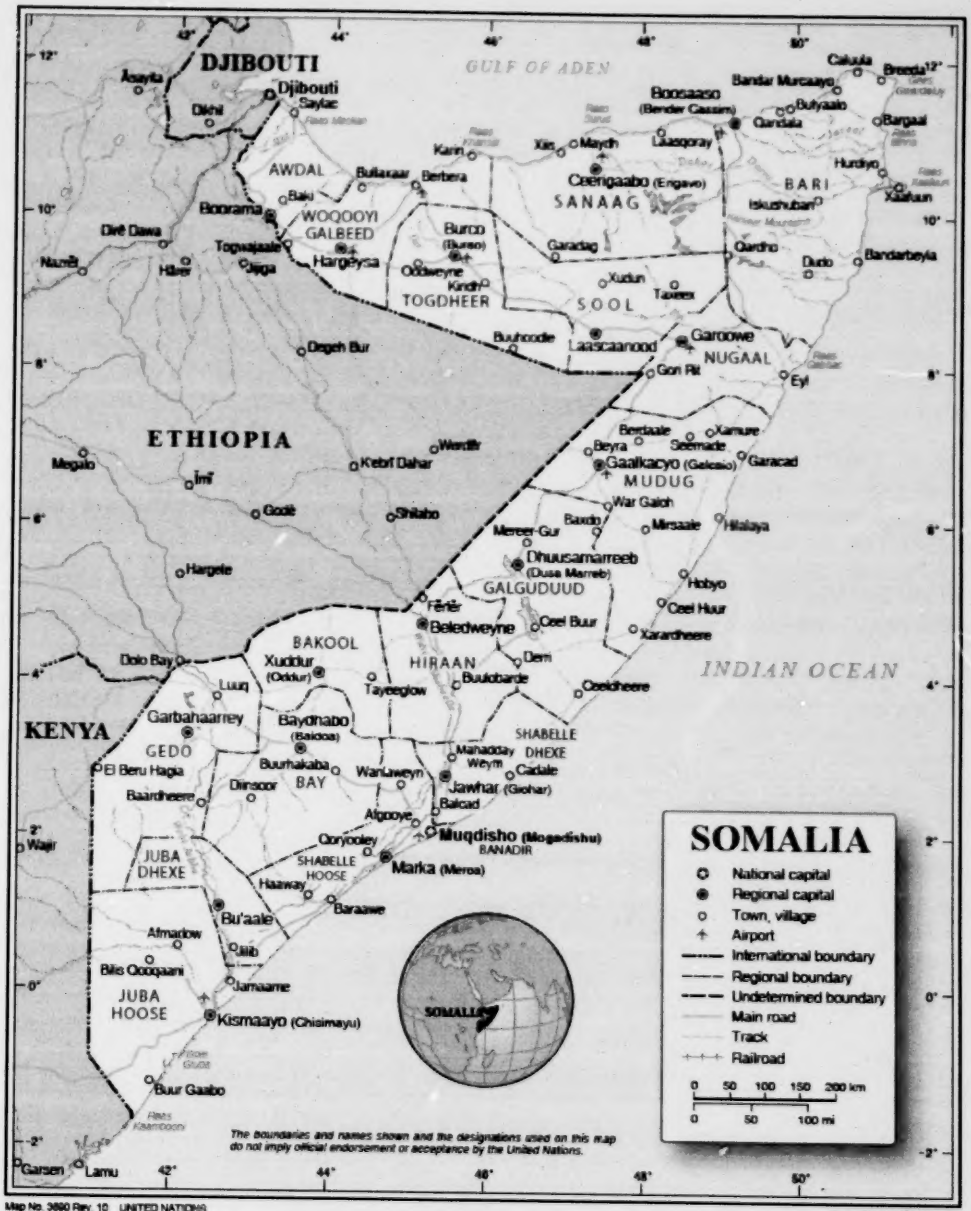
3. Transitional Federal Government
   Prime Minister of the Transitional Federal Government
   Hon. Dr. Abdiweli Mohamed Ali

4. Puntland
   President of Puntland
   Hon. Dr. Abdirahman Sheikh Mohamed Mohamud

5. Galmudug
   President of Galmudug
   Hon. Mohamed Ahmed Aalim

6. Ahlu-Sunna Wal Jamaaca
   Representative of Ahlu Sunna Wal Jamaaca
   Hon. Khalif Abdulkadir Moalim Nur

7. Special Representative of the
   Secretary General of the UN for Somalia
   Hon. Dr. Augustine Mahiga



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Cartographic Section